

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI

FILED

5/19/06

Clerk, U.S. Bankruptcy Court
Western District of Missouri

In Re: Kevin Matthew Curfman and Mary Patricia
Curfman ** BELOW MED **

Case No.: 06-40629-jwv

Debtor(s)

ORDER CONFIRMING CHAPTER 13 PLAN

The court finds that the Chapter 13 plan complies with 11 U.S.C. 1325(a)(1),(2),(3),(4),(5), and (6) and 1325(b). It is therefore

ORDERED, ADJUDGED and DECREED:

1. The plan is confirmed, subject to modification as provided in paragraph 12.
2. The debtor or any entity from which the debtor receives income shall pay to the trustee according to the terms of the plan which shall not exceed 5 years. Payments shall continue until further order of this court. The trustee may cause a wage order to be issued to the debtor's employer. 11 U.S.C. 1322(a)(1), 1322(d), and 1325(c). Local Rule 3083-1H.
3. Payments to all creditors shall be made according to the terms of the plan, Local Rules of this Court, the trustee's notice to allow claims, the trustee's notice to allow additional or amended claims, and further orders of the court. The trustee shall only make payments to creditors with filed and allowed claims. 11 U.S.C. 1326(c), Local Rule 3084-1, and Local Rule 3085-1.
4. Priority claimants shall be paid in full pursuant to 11 U.S.C. 1322(a)(2).
5. The trustee shall be paid in full pursuant to 11 U.S.C. 503(b), 1326(b)(2) and 28 U.S.C. 586(e)(1)(A) and (B).
6. For cases filed on or before October 16, 2005, the debtor shall devote to the plan all disposable income during the first 36 months after the first payment is due under the plan unless the debtor pays 100 percent to all filed and allowed claimants. For cases filed on or after October 17, 2005, the debtor shall devote to the plan all disposable income for payment to unsecured claimants for the applicable commitment period from the date the first payment is due as defined in 11 U.S.C. 1326(a)(1). The debtor shall report to the standing trustee any events affecting disposable income, including but not limited to: tax refunds, inheritances, prizes, lawsuits, gifts, etc., which are received or receivable during the pendency of the case. 11 U.S.C. 1325(b).
7. The debtor shall not incur any additional debts while this case is open without prior approval of the court except those which may be necessary in an emergency for the protection and preservation of life, health, or property. The trustee may make emergency refunds or grant borrowing requests pursuant to Local Rule 3088-1 and 2005 Standing Order #4.
8. Until the case is closed, the debtor is enjoined and prohibited from selling, encumbering, or in any manner disposing of assets without the prior order of the court except as may be required in the course of the debtor's business if the debtor is engaged in business. The debtor may, without court order, sell unencumbered property which has not had a lien avoided as part of this proceeding with a fair market value less than \$2,500.00 so long as, within 10 days of the sale, the debtor files with the court an accounting of said sale.
9. Title to the property of the estate vests in the debtor(s) or as specified in the plan. However, property of the estate which vests in the debtor(s) remains property of the estate pursuant to 11 U.S.C. 1306 for purposes of compliance with 11 U.S.C. 1325(b) and post-petition garnishments.
10. All composition plans may be amended for compliance with 11 U.S.C. 1325(b) based on actual filed and allowed claims or for a substantial change in circumstances for the debtor(s). All plans may be amended for compliance with 11 U.S.C. 1322(d).
11. Funds paid into the trustee's office in a confirmed plan prior to the case being dismissed or converted shall be distributed pursuant to the confirmed plan and this confirmation order.
12. Notwithstanding this Order, the Trustee may move to modify the plan in the event tax refunds due the debtor are not exempt, based on the pending appeal in In re Benn, Case no. 06-2217, United States Court of Appeals for the Eighth Circuit.

Dated: 5/19/06

/s/ Jerry W. Venters
UNITED STATES BANKRUPTCY JUDGE

Bankruptcy Noticing Center
2525 Network Place, 3rd Floor
Herndon, Virginia 20171-3514

CERTIFICATE OF SERVICE

District/off: 0866-4
Case: 06-40629

User: chornyt
Form ID: 505

Page 1 of 1
Total Served: 24

Date Rcvd: May 19, 2006

The following entities were served by first class mail on May 21, 2006.

db +Kevin Matthew Curfman, 409 E 73rd St, Kansas City, MO 64131-1622
db +Mary Patricia Curfman, 409 E 73rd St, Kansas City, MO 64131-1622
aty +Douglas B. Breyfogle, 4505 Madison Ave, Kansas City, MO 64111-3509
tr +Richard Fink, Suite 800, 818 Grand Blvd, Kansas City, MO 64106-1901
smg Missouri Department of Revenue, General Counsel's Office, PO Box 475,
Jefferson City, MO 65105-0475
11828813 +CAPITAL ONE BANK, C/O TSYS DEBT MGMT, PO BOX 5155, NORCROSS, GA 30091-5155
11841286 ++COMMERCE BANK NA, P O BOX 419248, KCREC-10, KANSAS CITY MO 64141-6248
(address filed with court: Commerce Bank NA, P O Box 419248, KCREC - 10,
Kansas City, MO. 64141-6248)
11821615 +Capital 1 Bk, 11013 W Broad St, Glen Allen VA 23060-5937
11821616 +Cbusasears, 8725 W Sahara Ave, The Lakes NV 89163-0001
11821617 +Chase, Bank One Card Serv 800 Brookside Blv, Westerville OH 43081-2822
11821618 +Commerce Bank Kansas, Po Box 248, Kansas City MO 64141-6248
11821619 +Hfc - Usa, P.o. Box 1547, Chesapeake VA 23327-1547
11821620 +Household Bank, 90 Christiana Rd, New Castle DE 19720-3118
11842033 +Household Bank (SB), N.A. (HP Shopping), eCast Settlement Corporation,
c/o Bass & Associates, P.C., 3936 E. Ft. Lowell Road, Suite #200, Tucson, AZ 85712-1083
11821621 I.C. Systems, Inc., PO Box 64437, Saint Paul MN 55164-0437
11821622 +Litton Loan Servicing, 4828 Loop Central Dr, Houston TX 77081-2166
11824320 +Litton Loan Servicing, LP, 4828 Loop Central Drive, Houston, TX 77081-2166
11821623 +South and Associates, 6363 College Blvd Suite 100, Overland Park KS 66211-1542
11821624 +Southwst Nt, Po Box 1401, Wichita KS 67201-1401
11821625 +Target National Bank, PO Box 64548, Saint Paul MN 55164-0548
11851353 +Target National Bank (f.k.a. Retailers National Ba, TARGET VISA, c/o Weinstein & Riley, P.S.,
2101 Fourth Ave., Suite 900, Seattle, WA 98121-2339
11821626 +Washmtl/prov, 4940 Johnson Dr, Pleasanton CA 94588-3308
11827903 +Wells Fargo Financial Missouri, Inc, 4137 121st st, Urbandale, IA 50323-2310
11821627 +Wffinancial, 8950-C Hillcrest, Kansas City MO 64138-3782

The following entities were served by electronic transmission.
NONE.

TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Addresses marked '++' were redirected to the recipient's preferred mailing address
pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.

First Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 21, 2006

Signature:

